

## **RECEIVED**

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Professional Association

FIFTEEN NORTH MAIN STREET • CONCORD, NH 03301-4945 TELEPHONE (603) 226-0400 • FACSIMILE (603) 230-4448

Gregory H. Smith Internet: greg.smith@mclane.com

September 28, 2004

OFFICES IN: MANCHESTER CONCORD PORTSMOUTH

Michael Sclafani, Appeals Clerk Water Council c/o Department of Environmental Services, Water Division 6 Hazen Drive P.O. Box 95 Concord, New Hampshire 03302-0095

Re:

Tourrettes Trust

Administrative Order No. WD 04-012

Dear Mr. Sclafani:

This is to notify the Water Council that the appeal of Tourrettes Trust has been withdrawn based upon the withdrawal by the Department of Environmental Services of the Administrative Order No. WD 04-012 as indicated in the attached September 3, 2004 letter issued by Assistant Commissioner, Michael J. Walls.

I am submitting an original and twenty (20) copies of this letter with enclosure in accordance with the rules of the Council.

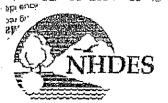
Copies of this letter are also being provided to Michael Nolin, Commissioner, and Harry

T. Stewart, Water Division Director.

GHS:twf

cc with enclosure:

Michael Nolin, Commissioner Harry T. Stewart, Director Jennifer J. Patterson, Senior Assistant Attorney General



## The State of New Hampshire Department of Environmental Services

Michael P. Nolin Commissioner



Tourettes Trust c/o Ian Ferguson 333 Lee Street Brookline, MA 02445

RELEASE OF RECORDATION FOR ADMINISTRATIVE ORDER NO. WD 04-12

RE: Wetlands File No. 2001-626 Lake Winnipesaukee, Wolfeboro

The Department of Environmental Services, Water Division ("DES") issued Administrative Order No. WD 04-12, dated July 2, 2004 ("the Order") to Tourettes Trust based on alleged violations of RSA 483-B for work done on the property described on Town of Wolfeboro Tax Map 227 as lot number 39 ("the Property"). Based on the agreement reached between Touettes Trust, DES, and the Department of Justice, DES withdrew the Administrative Order and issues this Release of Recordation ("Release") effective August 30, 2004. This Release may be used to relieve any encumbrance imposed on the Property by the recordation of the Order.

The Order was recorded at the Carroll County Registry of Deeds on July 7, 2004,

at Book 23, Page 641-643.

Harry T. Stewart, P.E., Director

Water Division

Commissioner

cc: Gretchen R. Hamel, Administrator, DES Legal Unit Public Information Officer, DES Public Information Center Jennifer Patterson, Senior Asst. Attorney General, NH Dept of Justice

Carroll County Registry of Deeds

Wolfeboro Board of Selectmen

✓ Wolfeboro Conservation Commission

P.O. Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095 Telephone: (603) 271-3503 • Fax: (603) 271-2982 • TDD Access: Relay NH 1-800-735-2964

DES Web site: www.das.nb.gov



## The State of New Hampshire Department of Environmental Services



Michael P. Nolin Commissioner

September 3, 2004

Gregory H. Smith McLane, Graf, Raulerson & Middleton, P. A. 15 North Main Street Concord, New Hampshire 03301-4945

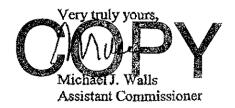
NHDES

RE: Tourettes Trust Administrative Order No. WD 04-12

Dear Greg:

This letter will confirm that the Department of Environmental Services has withdrawn Administrative Order No. WD 04-12 effective August 30, 2004. The enclosed release of recordation has been sent to the Carroll County Registry of Deeds for recording.

If you have any questions about this matter, please do not hesitate to contact me.



MJW/gcf Enclosure

cc:

Jennifer Patterson, DOJ Gretchen Hamel, DES James Martin, DES Rene Pelletier, DES